

Morgan Harris

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<p>1 UNITED STATES DISTRICT COURT 2 WESTERN DISTRICT OF TEXAS 3 SAN ANTONIO DIVISION 4 5 Kyle Workman and Morgan 6 Harris, 7 8 Plaintiffs Civil Action No. 9 SA-19-cv-0705 10 Consolidated in Civil Action 11 No. SA-18-cv-00555-XR 12 v. 13 United States of America, 14 Defendant. 15 16 The Remotely Reported Videotape Deposition of 17 MORGAN HARRIS, produced at the instance of the 18 Defendant, and duly sworn, was taken in the 19 above-styled and numbered cause on May 21, 2020, from 20 10:11 a.m. to 12:19 p.m., before Truenea Teasley, CSR 21 in the State of Texas reported by shorthand method at 22 1250 NE Loop 410, Suite 310, San Antonio, Texas 78209 23 in the City of San Antonio, County of Bexar, State of 24 Texas, pursuant to the Federal Rules of Civil 25 Procedure, the First Emergency Order regarding the COVID-19 State of Disaster, and the provisions stated on the record.</p>	<p>1 (All parties present have hereby 2 waived the necessity of the reading of the 3 statements by the deposition officer as 4 required by Rule(30) (b)(5).) 5 6 VIDEOGRAPHER: Okay. We are on the 7 record at 10:21 a.m. Central Time. 8 9 REPORTER: Okay. Today's date is May 21, 10 2020. The time is 10:11 a.m. This is the videotape 11 deposition of Morgan Harris and it is being conducted 12 remotely in accordance with the First Emergency Order 13 Regarding COVID-19 State of Disaster, paragraphs 2b 14 and c. The witness is located at 1250 Northeast Loop 15 410, Suite 310, San Antonio, Texas 78209. 16 17 My name is Truenea Teasley, Court 18 Reporter number 8719. I am administering the oath and 19 reporting the deposition remotely by stenographic means 20 from my home in El Paso, Texas. My business address is 21 210 East Main, Suite 1616, El Paso, Texas 79901. The 22 witness has been identified to me through 23 representation of counsel. 24 25 Would counsel please state their appearance and locations for the record. MR. REYNOLDS: This is Brett Reynolds appearing as counsel for Morgan Harris. I'm located at 1250 Northeast Loop 410, Suite 310, San Antonio, Texas, in my law office.</p>
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<p>1 A P P E A R A N C E S 2 For the Deponent: 3 Brett T. Reynolds 4 Brett Reynolds & Associates 5 1250 NE Loop, 410, Suite 310 6 San Antonio, Texas 78201 7 btreyolds@btrlaw.com 8 For the Plaintiffs: 9 Jamal K. Alsaffar 10 Whitehurst, Harkness, Brees, Cheng, Alsaffar, 11 Higginbotham, and Jacob, PLLC 12 7500 Rialto Boulevard, Building 2, Suite 250 13 Austin, Texas 78735 14 jalsaffar@nationaltriallaw.com 15 For the Defendant: 16 Faith Lowry 17 Christopher Bates 18 Assistant United States Attorney 19 950 Pennsylvania Avenue, NW 20 Washington, DC 20530-0001 21 faith.lowry@usdoj.gov 22 ALSO PRESENT: 23 Robie Rowley, Videographer 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000</p>	<p>1 MR. ALSAFFAR: Jamal Alsaffar for the 2 plaintiffs, and I'm located in Austin, Texas. 3 4 MS. LOWRY: This is United States 5 Attorney Faith Lowry for the defendant United States of 6 America, and I'm in San Antonio, Texas. 7 8 MR. BATES: Christopher Bates for the 9 United States, Arlington, Virginia. And I said that 10 I'll be listening in. I'll need to step out for a 11 moment, but I will listen in. 12 13 MORGAN HARRIS, 14 sworn by the Certified Court Reporter, testified as 15 follows: 16 17 EXAMINATION 18 19 BY MS. LOWRY: 20 Q. Are you ready to proceed? 21 A. Yes. 22 Q. Thank you. Good afternoon -- or good morning, 23 Ms. Harris. My name is Faith Lowry. I'm an attorney 24 at the United States Attorney's office here in San 25 Antonio, Texas. And I'm here today on behalf of the United States, the defendant in action 518-CV-705 and the consolidated cases. Can you please state your name for the record. A. Morgan Harris.</p>

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<p>1 how long was it before you were taken to the hospital?</p> <p>2 A. I -- I don't recall a specific. Do you want</p> <p>3 an estimate?</p> <p>4 Q. I guess -- I guess the amount of time isn't</p> <p>5 specifically important, but was it later into the</p> <p>6 evening or did you go to the hospital from the church?</p> <p>7 A. I went to the hospital directly from the</p> <p>8 church.</p> <p>9 Q. And was that by ambulance or was someone able</p> <p>10 to drive you?</p> <p>11 A. It was by an ambulance, yes.</p> <p>12 Q. Were you receiving care in the ambulance while</p> <p>13 you were being transported?</p> <p>14 A. There were multiple people in the ambulance</p> <p>15 with me. I was specifically not being worked on. They</p> <p>16 were tending to someone else.</p> <p>17 Q. Which hospital did they take you to?</p> <p>18 A. They took me to Connally Memorial in</p> <p>19 Floresville and then to University.</p> <p>20 Q. In San Antonio?</p> <p>21 A. Correct.</p> <p>22 Q. How long were you at Connally?</p> <p>23 A. Maybe a couple of hours and they -- they made</p> <p>24 sure I was stable and then they were overrun and</p> <p>25 transferred me.</p>	<p>1 Q. Can you spell that to the best that you can</p> <p>2 spell it.</p> <p>3 A. S-H-R-I-N-E-R.</p> <p>4 Q. Prior to the pandemic, how often were you</p> <p>5 seeing Dr. Shriner?</p> <p>6 A. Between every two to four weeks.</p> <p>7 Q. And would that have been as recently as like</p> <p>8 December 2019 or was it prior to that?</p> <p>9 A. I started seeing Dr. Shriner in December 2018</p> <p>10 and the last I saw her was March 2020.</p> <p>11 Q. What kind of treatment are you receiving from</p> <p>12 Dr. Shriner?</p> <p>13 A. She intermittently has had me on a chelator.</p> <p>14 Q. Can you explain what that is?</p> <p>15 A. Chelation therapy has to do with the lead</p> <p>16 toxicity that's in my body and that's causing a</p> <p>17 neuropathy. The chelator goes in and it -- to the --</p> <p>18 it tries to bind the lead compound that's in the soft</p> <p>19 tissue to pull it to the bloodstream to be -- to be --</p> <p>20 Q. Discharged from the body?</p> <p>21 A. Yes.</p> <p>22 Q. Are you currently on -- is it chelation? I'm</p> <p>23 sorry. I'm not -- I may be not pronouncing it</p> <p>24 correctly.</p> <p>25 A. I'm currently not on a chelator.</p>
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<p>1 Q. Okay. Were you released the same day?</p> <p>2 A. Yes, that evening from University.</p> <p>3 Q. Prior to the shooting, had you been involved</p> <p>4 in any life-threatening events?</p> <p>5 A. No.</p> <p>6 Q. And have you since that time?</p> <p>7 A. No.</p> <p>8 Q. After you were released from University, when</p> <p>9 is the next time that you received medical care?</p> <p>10 A. They had me come back to the trauma ward in</p> <p>11 University at two weeks out. I did my own packing and</p> <p>12 dressing of wounds twice daily.</p> <p>13 Q. And is that upon the instructions that they</p> <p>14 gave you at University when you were discharged?</p> <p>15 A. Yes.</p> <p>16 Q. I know that you've seen many, many, many</p> <p>17 doctors and had many appointments since that time. We</p> <p>18 are not going to walk through each of those</p> <p>19 appointments.</p> <p>20 I'll ask are you currently regularly</p> <p>21 seeing a doctor?</p> <p>22 A. Currently the doctor that I've been seeing</p> <p>23 office is closed because of the pandemic.</p> <p>24 Q. And which doctor is that?</p> <p>25 A. Dr. Sandra Shriner.</p>	<p>1 Q. When did you stop taking the chelator?</p> <p>2 A. I believe in July of 2019. And it's a very</p> <p>3 strong medication so it's kind of one that you go on</p> <p>4 and off of as needed.</p> <p>5 Q. What changed or happened in July of 2019 that</p> <p>6 lead you to come off of the chelator?</p> <p>7 A. It was no longer being effective or as</p> <p>8 effective. It wasn't pulling down the lead level from</p> <p>9 the -- the blood to lead level. It was just remaining</p> <p>10 at a steady number and with it being a strong</p> <p>11 medication, if you're not seeing active results,</p> <p>12 Dr. Shriner didn't want it to cause extra strain on my</p> <p>13 body.</p> <p>14 Q. Is there a plan for you to get back onto the</p> <p>15 chelator?</p> <p>16 A. She has been monitoring the blood to lead</p> <p>17 level and she would like to -- the way it was explained</p> <p>18 to me is that she wanted to -- she was hopefully, with</p> <p>19 the -- the break, some more compounds of lead would</p> <p>20 come back out of bone and they would be able to be</p> <p>21 grabbed by the chelator, but we've been monitoring the</p> <p>22 level and haven't -- haven't really seen it come back</p> <p>23 out of the bone so it's --</p> <p>24 Q. What is your understanding of the current</p> <p>25 level?</p>

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1 A. The current blood to lead level or --
 2 Q. Correct.
 3 A. Okay. My understanding is that it's been at
 4 a -- between a 2 and a 4 the last few times that she's
 5 had labs drawn.
 6 Q. And what is the scale? I assume it goes from
 7 zero or 1. Do you know what -- where the scale ends?
 8 MR. REYNOLDS: Objection, form.
 9 A. Not -- I -- I am not -- I don't know -- versed
 10 isn't the right word -- knowledgeable on the subject to
 11 comment on it.
 12 Q. (BY MS. LOWRY) No problem. I was just -- I'm
 13 not either. And if you knew that it was a 1 to 10 or a
 14 1 to 4 or to 5, I was just curious.
 15 What is your understanding of the
 16 severity of a level 2?
 17 A. Depending on age and health, it -- it affects
 18 people differently. A level 2 in my body has affected
 19 me to have bilateral drop foot and is causing cognitive
 20 issues. But a level 2 in somebody else may not affect
 21 them the same way. It -- it -- it varies by person.
 22 Q. Can you feel and appreciate the difference
 23 between when you're at a 2 and when you're at a 4?
 24 A. I guess I'm not really -- I guess I don't
 25 know.

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1 Q. So I'm just curious if there are times when
 2 you think the -- the effects that I'm experiencing,
 3 drop foot or cognition issues -- we'll talk about
 4 whatever those effects are -- but where you're thinking
 5 they're worse today and then you find out that you're
 6 at a different number, you're between -- you know,
 7 you're at a 4 as opposed to a 2?
 8 A. Yes, they do occasionally feel like they're
 9 much stronger from day to day so I would imagine, but
 10 I -- it's just --
 11 Q. You don't know if it's tied to a specific.
 12 A. I don't know if it's tied to that because it
 13 takes several weeks for the actual lab work to come
 14 back so I -- I couldn't tell you for sure whether
 15 it's -- my bad days are because it's increased or
 16 decreased.
 17 Q. Okay. That makes sense.
 18 Let's talk about your current health
 19 condition. I believe you stated you're not currently
 20 taking any medication. Correct?
 21 A. Just nutrition supplements.
 22 Q. And are the nutrition supplements intended to
 23 aid in processing the lead toxicity?
 24 A. Yes.
 25 Q. What are those supplements?

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1 A. I take -- I can't recall all of the specific
 2 names, but I think I take six different supplements
 3 designed to help process toxins out of the body.
 4 Q. Okay. And at this time those supplements are
 5 the only medications or pills that you are taking.
 6 A. Correct.
 7 Q. Are you currently receiving physical therapy?
 8 A. Not currently. I'm doing in-home physical
 9 therapy.
 10 Q. And is that with an in-home health provider or
 11 do you -- you engage in physical therapy exercises
 12 yourself?
 13 A. Myself, with different recommendations that
 14 different doctors have given me to do exercises
 15 specifically to help.
 16 Q. Have you noticed any improvement in your
 17 physical condition? Maybe I'll say at what point since
 18 the shooting was your physical condition at its worst?
 19 A. In 2018, approximately June.
 20 Q. And what was it -- what was your condition at
 21 that time?
 22 A. It was undiagnosed at the time, but it was a
 23 lipid neuropathy causing bilateral drop foot.
 24 Q. And "bilateral" means in both feet?
 25 A. Correct.

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1 Q. And at that point did -- after it was
 2 diagnosed, did you begin physical therapy?
 3 A. Yes.
 4 Q. About when was that?
 5 A. In the fall of 2018.
 6 Q. And how has the physical therapy affected the
 7 severity of the drop foot?
 8 A. It hasn't really. It helped support the
 9 muscles around it, but the muscles that -- muscles that
 10 don't function haven't really -- you know, they -- it
 11 hasn't affected the severity of the drop foot, I would
 12 say.
 13 Q. And so at this -- are there other -- I guess
 14 if the condition was worse in June of 2018, is that
 15 condition better today?
 16 A. Mildly.
 17 Q. And in what ways?
 18 A. After the chelator, I was able to -- had a
 19 little bit more functionality and a small amount more
 20 of feeling.
 21 Q. In your feet?
 22 A. Correct. And through my legs. The -- the
 23 nerve pain and symptoms has stayed the same though.
 24 Q. Besides the nerve pain and the bilateral foot
 25 drop, what are the other symptoms that you experience

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1 that you tie to the shooting?
 2 A. Because of the way that I walk, I experience a
 3 lot of lower back to mid-back pain and a lot of pain in
 4 my hips.
 5 Q. Are there any other physical conditions that
 6 you have on account of the shooting?
 7 A. I have cognitive issues.
 8 Q. Can you describe those, please.
 9 A. Poor memory. A lot of times I have trouble
 10 staying -- like staying on task. I've lost kind of the
 11 ability to multitask, whereas before, I could like sit
 12 at a table and have three different conversations with
 13 family members, whereas now, it's -- it's really
 14 overwhelming when multiple people are trying to talk at
 15 me at the same time and I kind of -- like I just have
 16 to kind of retreat because I'm not able to handle it as
 17 well.
 18 I have just not very clear thoughts. A
 19 lot of times, I have to -- to get -- a lot of times, I
 20 would just lose words and not be able to recall words
 21 that I've used 100 times.
 22 Q. Okay. And have your medical providers tied
 23 these cognition issues to the lead toxicity?
 24 A. Yes.
 25 Q. Are you receiving any therapies or are there

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1 no therapies to offer to address these cognitive
 2 issues?
 3 A. I'm unsure if there are any offered and I'm
 4 not --
 5 Q. I'm getting just a little feedback and I'm
 6 hoping it's not my computer again.
 7 A. And currently --
 8 VIDEOGRAPHER: Ms. Harris, could you
 9 start this answer over, it seemed to freeze up a bit
 10 for us.
 11 A. Can you ask it again.
 12 Q. (BY MS. LOWRY) Therapies that you are
 13 receiving to address the cognition issues that you are
 14 having.
 15 A. I'm currently not seeking therapies to address
 16 the specific cognition issues and I am unsure if there
 17 are any that could be offered.
 18 Q. What are your current hobbies?
 19 A. I spend a lot of time -- or I enjoy spending a
 20 lot of time with my siblings and my family, playing
 21 board games, playing with my dog. Well, throwing the
 22 ball for my dog.
 23 Q. What kind of dog do you have?
 24 A. I have a French Bulldog and we have two
 25 Great Danes. I'm not able to play with them because

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1 they will run me over. I'm a little unsteady and
 2 they've got big feet and big bodies.
 3 Q. Prior to the shooting, what kind of things did
 4 you do with your family?
 5 A. My brother and I would go hiking a lot.
 6 Growing up we did martial arts. Well, growing up up
 7 until the time my brother kind of stepped away from
 8 that, but I continued with it. I would spend a lot of
 9 time with my nieces and nephews and playing outside,
 10 playing hide and seek.
 11 Q. And are those activities that have been
 12 impacted by the shooting, your ability to engage in
 13 those activities?
 14 A. Yes.
 15 Q. Are there activities that you did with your
 16 family prior to the shooting that you are still able to
 17 do?
 18 A. Yes.
 19 Q. What are those types of activities?
 20 A. Mostly indoor ones like board games.
 21 Q. Do you -- how often are you in touch with your
 22 parents?
 23 A. Frequently I would say.
 24 Q. On a daily or weekly basis?
 25 A. Yes.

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1 Q. And is that the same or more or less than
 2 prior to the shooting?
 3 A. I would say probably the same. Maybe a little
 4 bit more frequently.
 5 Q. And do you feel you're able to -- I guess I'll
 6 back up.
 7 Has your relationship with your parents
 8 suffered, stayed the same or improved --
 9 A. I have a lot of worry --
 10 Q. -- since before the shooting?
 11 A. I have a lot of worries because the whole
 12 situation is a lot of stress. I mean it has not
 13 negatively impacted. It's just created a lot of -- a
 14 lot of worry.
 15 Q. When you need someone to talk to, who do you
 16 typically reach out to?
 17 A. Family.
 18 Q. And are they available to you when you need
 19 someone?
 20 A. Most of the time, yes.
 21 Q. How do you feel your mental health has changed
 22 as a result of the shooting?
 23 A. Negatively, I think. I have a lot of
 24 anxieties that I'm not able to deal with now like I was
 25 before. I had minor anxieties before, but it was

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<p>1 would relate to the damages in this case, I still have 2 to ask these very private questions. 3 A. I understand. 4 Q. Are you still able to have sex? 5 A. Yes. 6 Q. And do you feel like that relationship, your 7 sexual relationship, has been negatively affected or 8 not affected by the shooting? 9 A. Not affected. 10 Q. Besides Dr. Lincoln, are there any other 11 counselors that you're currently seeking at this time? 12 A. Currently, no. 13 Q. Prior to the shooting taking place, were you 14 aware of any threats of violence against the First 15 Baptist Church of Sutherland Springs? 16 A. No. 17 Q. Did you know Devin Kelley prior to the 18 shooting? 19 A. I knew of him, but I did not know him. 20 Q. Did you know of any conflicts that he had with 21 other members of the church? 22 A. No. 23 Q. That you recall had you ever previously 24 interacted with Devin Kelley? 25 A. Not him and I personally, no. I think he was</p>	<p>1 Q. Michelle Shields. That's probably what my 2 problem is. 3 Do you know Michelle Shields? 4 A. Yes. 5 Q. And who is she? 6 A. She's a lady that attends church. 7 Q. Is that Danielle's mother? 8 A. I believe so. I'm not actually positive if 9 it's her birth mother or her adopted mother. I don't 10 know. Like I said I wasn't super close. 11 Q. Did you have any immediate family members who 12 were killed during the shooting? 13 A. Not immediate. 14 Q. Were there extended family members? 15 A. By marriage. 16 Q. And who was that? 17 A. My sister's sister-in-law. 18 Q. Do you or your husband own any weapons? 19 A. I do not. My husband does. 20 Q. Do you know what kind of weapons he owns? 21 A. A rifle, I believe, like a hunting rifle. 22 Q. Did he purchase that weapon while you have 23 been married? 24 A. No. It was a gift previous to our marriage 25 and to our relationship.</p>
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<p>1 there when I had a conversation with someone else. 2 Q. And that would be at the church or at a church 3 function? 4 A. Correct. 5 Q. Did you know Danielle Shields Kelley prior to 6 the shooting? 7 A. I did. 8 Q. How did you know her? 9 A. Through church. 10 Q. Do you know when you met her for first time? 11 A. No. Her and I were not super close. We were 12 a couple years apart. 13 Q. Is she older than you are? 14 A. I -- I believe so, yes. 15 Q. Prior to the shooting, did you know 16 Michael Kelley, Devin Kelley's father? 17 A. No. 18 Q. Did you know Michelle Fields prior to the 19 shooting? 20 A. I'm sorry. Can you repeat that name. 21 Q. I believe I might -- I might be off on this 22 first name. I thought it was Michelle Fields. 23 A. I don't know anybody of the last name Fields. 24 Q. Okay. Is there a different -- 25 A. I know a Michelle Shields.</p>	<p>1 Q. Do you know who he received it from? 2 A. His father, I believe. 3 Q. Have you ever purchased a weapon? 4 A. I have not. 5 Q. One minute. 6 A. Would now be an appropriate time to take a 7 restroom break? 8 Q. Now would be a great time. 9 MS. LOWRY: Can we please go off the 10 record for a quick restroom break. 11 VIDEOGRAPHER: Going off the record at 12 12:05 p.m. Central Time. 13 (A recess was taken.) 14 VIDEOGRAPHER: We are back on the record 15 at 12:13 p.m. Central Time. 16 Q. (BY MS. LOWRY) Ms. Harris, I just have a 17 handful of questions and then we'll be able to wrap up. 18 Do you currently wear any types of leg 19 braces or assistive equipment? 20 A. Yes, I do. 21 Q. What are those? 22 A. I currently wear a unit called a Bioness L300, 23 it's an electric stimulant device that helps. It's 24 a -- as I walk it sends an electronic pulse into the 25 muscles to lift the foot because the drop foot can't on</p>

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<p>1 its own. And when I am not able to wear those, I have</p> <p>2 a set of AFOs that are just static braces that go into</p> <p>3 my shoe and hold my foot at a 90-degree angle.</p> <p>4 Q. What does AFO stand for?</p> <p>5 A. I couldn't tell you.</p> <p>6 Q. Me either. We'll look it up later.</p> <p>7 A. It's what the type of brace is.</p> <p>8 Q. Okay. The -- I might have gotten it down</p> <p>9 incorrectly, but is it Bioness?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. Can you describe what that looks like?</p> <p>12 I'm unfamiliar.</p> <p>13 A. It's a cuff with a -- like a battery pack that</p> <p>14 hooks to the side, it's got electro pads on the inside</p> <p>15 that I put water on to make a connection to the skin</p> <p>16 and then as the tendon in the back of my knee bends or</p> <p>17 moves, it triggers the stimulant to lift the foot.</p> <p>18 Q. When you are using the Bioness system, do you</p> <p>19 require a cane to walk?</p> <p>20 A. No, I don't.</p> <p>21 Q. Do you typically carry a cane at this time?</p> <p>22 A. I have one that I keep in my car at all times</p> <p>23 just in case if I don't have the AFO and the Bioness</p> <p>24 breaks, it's there as a backup.</p> <p>25 Q. How often let's say over the last week did you</p>	<p>1 Q. And are -- have you and your husband</p> <p>2 considered alternatives to having children of your own?</p> <p>3 A. We've been told about them and they're --</p> <p>4 they're options that we've not really looked into a</p> <p>5 whole lot, but we know of them, yes.</p> <p>6 Q. Do -- I'm -- I'd like to get a sense of how it</p> <p>7 affects you to be told that you will not be able to</p> <p>8 have children.</p> <p>9 A. It's a really difficult thing to be told in</p> <p>10 your 20s.</p> <p>11 Q. All right. Well, I'm very sorry to end on a</p> <p>12 negative note. You have been incredibly patient</p> <p>13 throughout this deposition. I hope that you feel I've</p> <p>14 been equally respectful of you.</p> <p>15 Were there any questions that I asked you</p> <p>16 that confused you and that you were not able to get</p> <p>17 clarification on?</p> <p>18 A. Not that I recall.</p> <p>19 Q. You will have the opportunity to review your</p> <p>20 deposition transcript and clarify or correct any</p> <p>21 answers that were not given correctly at this</p> <p>22 deposition.</p> <p>23 MS. LOWRY: But at this time that will</p> <p>24 conclude my questions for this deposition.</p> <p>25 A. Understood.</p>
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<p>1 use your cane?</p> <p>2 A. I haven't needed to.</p> <p>3 Q. So it's a backup, but you're not regularly</p> <p>4 using it at this time.</p> <p>5 A. Correct.</p> <p>6 Q. Are you able to drive?</p> <p>7 A. Yes, modified.</p> <p>8 Q. And what are those modifications?</p> <p>9 A. Because of the drop foot, I am not able to</p> <p>10 extend my foot to accelerate so I have to place kind of</p> <p>11 like the bottom of my foot towards the heel on the</p> <p>12 accelerator or the brake and I have to use my entire</p> <p>13 leg to -- to apply pressure.</p> <p>14 Q. Do you drive yourself to work?</p> <p>15 A. I do.</p> <p>16 Q. What is your current understanding about</p> <p>17 whether you will be able to have children?</p> <p>18 A. It's my current understanding that I am not</p> <p>19 able to and that -- that the toxicity in my body, the</p> <p>20 leg has an affect on a -- the embryo in the third</p> <p>21 trimester and that it would leak out and affect the</p> <p>22 child. So I've been told not to.</p> <p>23 Q. Prior to the shooting, were you intending to</p> <p>24 have children?</p> <p>25 A. Eventually, yes.</p>	<p>1 MR. REYNOLDS: We reserve our questions</p> <p>2 on behalf of Ms. Harris until trial.</p> <p>3 VIDEOGRAPHER: Okay. This concludes the</p> <p>4 deposition at 12:19 p.m. Central Time. We are off the</p> <p>5 record.</p> <p>6 (Deposition concluded.)</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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Morgan Harris

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1 I, MORGAN HARRIS, have read the foregoing
2 deposition and hereby affix my signature that same is
3 true and correct, except as noted above.
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7

MORGAN HARRIS

8 The State of Texas)
9 County of El Paso)
10

11 Before me, _____, on this
12 day personally appeared MORGAN HARRIS, known to be the
13 person whose name is subscribed to the foregoing
14 instrument and acknowledged to me that they executed
15 the instrument and acknowledged to me that they
16 executed the same for purposes and consideration
17 therein expressed.

18 Given under my hand and seal of office this
19 _____ day of _____, 2020.
20
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Notary Public in and for
El Paso County, Texas
My commission expires:
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